

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 5TH SEPTEMBER 2007 / 14TH BHADRA 1929

WP(C).No. 34647 of 2004(Y)

PETITIONER:

RAJEEV JOSEPH,
KALLARACKAL DRESS WORLD, ROOM NO.C1,G1,F37,
HOUSING BOARD COMPLEX, KATTAPPANA.

BY ADV. SRI.J.KRISHNAKUMAR

RESPONDENTS:

1. KERALA STATE HOUSING BOARD,
REPRESENTED BY THE SECRETARY,HOUSING BOARD COMPLEX
NANDANCODE, TRIVANDRUM.
2. THE EXECUTIVE ENGINEER,
KERALA STATE HOUSING BOARD, IDUKKI DIVISION,
KATTAPPANA.

BY ADV. SRI.P.C.IYPE, SC, KSHB
SRI.A.JAYASANKAR, SC KSHB, TVM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 05/09/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

- EXT.P1 COPY OF THE LEASE AGREEMENT EXECUTED IN FAVOUR OF THE PETITIONER DT. 21.6.04
- EXT.P2 COPY OF THE RENT RECEIPT DT. 5.11.04
- EXT.P3 COPY OF THE REPRESENTATION FILED BY PETITIONER BEFORE THE 2ND RESPONDENT DT. 1.11.04
- EXT.P4 COPY OF THE LETTER DT. 15.11.04 BY THE PETITIONER TO THE 2ND RESPONDENT
- EXT.P5 COPY OF THE ORDER PASSED BY THE 2ND RESPONDENT
- EXT.P6 COPY OF THE COVER WITH THE DATE STAMP

RESPONDENT'S EXHIBITS:

- EXT.R1(a) COPY OF THE LETTER DT. 30.10.04

/TRUE COPY/
PA TO JUDGE.

ANTONY DOMINIC, J.

W.P.(C). NO. 34647 OF 2004

Dated this the 5th day of September, 2007

J U D G M E N T

The challenge in this writ petition is against Ext.P5 order cancelling the lease originally granted in favour of the petitioner. At the time when the writ petition was admitted, this Court had granted an interim stay. The stay order was thereafter extended until further orders. Ext.P1 dated 21.6.04 is the lease agreement granted in favour of the petitioner, on the basis of which petitioner asserted his right to continue occupation of the premise. The period of the lease as per Ext.P1 lease agreement was only for three years. Since the period of the lease has been expired on 20.6.07, the grievance now raised by the petitioner in this writ petition cannot survive any more.

In view of the expiry of the period of lease originally granted I am of the view that this writ petition can be closed.

The writ petition is accordingly closed.

ANTONY DOMINIC, JUDGE

vps

A.K. BASHEER, JUDGE

OP NO.8348/01

JUDGMENT

2nd August, 2007